

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JANUARY 6, 2009**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

Bill No. 2008-59 – Updates remedies and procedures pertaining to enforcement of the City's rights in drainage easements. Sponsored by: Councilman Steven D. Ross

**Fiscal Impact**

☒

No Impact

☐ Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Various provisions of the Municipal Code prohibit unauthorized obstructions and encroachments within drainage easements that run in favor of the City. This bill will clarify and strengthen those prohibitions, expand the enforcement authority available to the City, and authorize the use of nuisance proceedings for violations.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2008-59

Motion made by RICKI Y. BARLOW to Approve as DO PASS

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHIEF DEPUTY VAL STEED stated that this item had been requested by the Public Works Department and was sponsored by COUNCILMAN ROSS. He explained this bill would better describe encroachment on drainage easements and would increase the City's remedies. Under this bill, he noted the City would be allowed to proceed against encroachment as a nuisance. He described the regulation process and recommended approval.